

Compliance Assessment Report

Report ID:
CAR_NRW0033525

This form will report compliance with your permit as determined by an NRW officer

Site	C T Skip Hire	Permit Ref	DB3332RH		
Operator/Permit holder	Carl Thompson				
Regime	Waste Operations				
Date of assessment	07/06/2018	Time in	10:08	Out	10:50
Assessment type	Site Inspection				
Parts of the permit assessed	See below				
Lead officer's name	Challender, Paul				
Accompanied by					
Recipient's name/position	Mr Carl Thompson/ Operator	Date issued	13/09/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	X	
C4 - General Management - Storage, handling labelling and Segregation	C3	Permit Condition 1.1.1, EMS Section 4.4.4
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C3	Permit Condition 1.1.2, EMS 6.7.3
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This was a pre-arranged inspection visit arranged primarily to audit how the recently submitted Fire Prevention & Mitigation Plan (FPMP) was being implemented on site. The weather conditions were warm, dry, still and bright. Environment Officer (EO) Paul Challender was escorted at all times by the operator Mr Carl Thompson.

It was immediately obvious upon entering site that there was an excess of waste on site. The transfer building was full and the mixed waste stockpile was spilling from the building outwards to the extent of the small area of concrete pad outside of the building. This is a breach of permit conditions and is discussed below.



The construction and demolition waste stockpiles are still present on site but Mr Thompson has achieved a small reduction in their sizes.

A small selection of site paperwork was inspected including site inspection forms with Technically Competent Manager (TCM) attendance logged and a selection of Waste Transfer Notes (WTNs). All appeared correct with this paperwork at this time.

FPMP implementation on site was assessed. In general, the new FPMP (dated 11/05/18) is a dramatic improvement upon the last submission and was delivered to the regulating officer in a timely manner. The new plan and its implementation on site however, requires some attention this is discussed below.

The following breaches to the permit have been recorded:

(C4) Storage, handling, labelling and segregation - Permit Condition 1.1.1, EMS 4.4.4. CCS Score C3.

Both mixed and inert waste are stored in excessive volumes and for excessive periods of time. Mixed waste, although now largely contained within the transfer building is of an excessive volume. The method of storage and the frequency of disposal collections means that it is not possible to comply with the 21 day storage time stipulated in the EMS. This large amount of waste stored on site for an excessive time period has again attracted rats. The operator is taking remedial action to reduce the numbers. A reduction in the volume waste stored and the storage period will assist the operator with this issue. There was no evidence of the rats affecting neighbouring units as of yet.

The inert waste stockpile is essentially a permanent feature of the site. Although it is noted that the operator is now working on multiple areas of the inert stockpile. Frequency of removal of inert waste from the site is not sufficient to comply with the 6 month limit stated in the EMS.

(C2) Management System and operating procedures – Permit Condition 1.1.1, EMS 6.7.3. CCS Score C3.

EMS Section 6.7 refers to site inspection and maintenance procedures. EMS condition 6.7.3 states areas of hardstanding impermeable pavement, sealed drainage system etc., will be inspected monthly. Since the transfer building has been full with mixed waste for a over 12 months, it would not have been possible to carry out a full inspection of the impermeable pavement and sealed drainage system. The volume of mixed waste in the transfer building is at the same level as during the summer 2017 inspection. Although the impermeable surface and sealed drainage system that lay outside the boundary of the transfer building are now exposed and available for inspection as required; there is still a quantity of waste within the building which has been stored at a quantity which prevents the operator from conducting a full inspection by rotation of the waste stockpile or otherwise.

Enforcement action

Prolonged non-compliant activities on site poses a risk of pollution of the environment and harm to human health. It is recognised that Mr Thompson has suffered recently from a theft of a skip wagon and that this has impacted the business financially. We will continue to monitor the status of the site and expect to see continuous improvement including the reduction in levels of stored mixed and inert waste over the coming months and may take relevant enforcement as appropriate to ensure compliance with the permit. This may include the service of a notice to reduce volumes of stored waste or a partial suspension of the permit to halt the acceptance of waste material. As such a Site Warning has been issued on this CAR form.

Fire Prevention & Mitigation Plan - document and implementation review

(A1) Specified by permit - Permit Condition 3.4.1, FPMP - relevant sections. Action only.

The FPMP that was submitted to the regulating officer was a significant improvement on the last submission; thank you for the new document. A paper audit was conducted before attending site and below are some areas that require attention along with observations made on site:

- Off site fire box implemented but not secure. This was discussed with Mr Thompson and he has stated he will implement a security mechanism to prevent unauthorised removal of the contained documents.
- A visual indicator for the 4 metre high storage height limit in the transfer building was discussed and Mr Thompson stated he would implement a simple marker to indicate the maximum storage level. As the building is 5 metres high, reference to not exceeding the implemented 4 metre marker should appear in a suitable section in the FPMP.
- Table 2 on Page 7 of the FPMP makes reference to two 45 cubic yard skips. There are not 2 45 cubic yard skips on site. Furthermore, the location of any of the skips indicated in Table 2 does not appear on the Site Plan.
 - Clarity needs to be added in the text as to whether the skips evident on site form part of the main stockpile or not, due to their proximity to the building. How this affects separation distances and storage arrangements needs to be addressed.
- Section 5 of the FPMP states that there is "No electricity supply" however, the Site Plan is labelled to indicate and electricity fuse board and CCTV system. The fuse board and CCTV system are evident on the site.
- Although firewater containment is mentioned the ability/inability to recycle fire water is not discussed.
- More common causes of fire should be addressed such as but not limited to: arson & vandalism, batteries in waste deposits, deposition of hot loads etc.....
- There is a 'quarantine area' identified on the Site Plan. This quarantine area however, appears to mean an area to store non-permitted waste types that have been erroneously accepted onto the site as it is located within the storage containers. Please refer to Section 22 of the guidance document and clarify the status and procedures for quarantine areas both on the Site Plan and in the text of the FPMP.

Thank you for your time during this inspection.

Paul Challender - Environment Officer.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

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EPR Compliance Assessment Report

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Site	C T Skip Hire	Permit Ref	DB3332RH
Operator/Permit holder	Carl Thompson	Date	07/06/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
G2	C3	Reduce volume of waste to enable the inspection of the impermeable surface within the waste transfer building.	17/08/2018
C4	C3	Reduce stored waste levels to ensure waste of contained within the building.	17/08/2018
C2	X	Update and resubmit FPMP in line with comments on this CAR form	31/08/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.